

**REMARKS**

In response to the Office Action dated March 30, 2009, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 30-32 are pending in this application. Claims 1-29 were previously canceled without prejudice or disclaimer.

**Rejection of Claim 32 under § 102 (e)**

Claim 32 was rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent Application Publication 2005/0262542 to DeWeese *et al.*

Claim 32, though, is not anticipated by *DeWeese*. Claim 32 already recites features that are not taught or suggested by *DeWeese*. Independent claim 32, for example, recites “*receiving broadcasted content from a service provider via a first input*,” “*processing the broadcasted content by a processor for display via a first output*,” “*conducting two-way communications with other devices via a back channel communications path at an input-output port*,” and “*receiving a communication at the input-output port*” (emphasis added). The Office asserts that *DeWeese* teaches these features, and the Office cites to several of *DeWeese*’s paragraphs. The Office, though, is mistaken. The Office has, very respectfully, misinterpreted *DeWeese*. When *DeWeese* is properly interpreted, *DeWeese* makes no such teaching.

*DeWeese* describes a television chat system in which set top boxes may communicate with a television facility. *See* U.S. Patent Application Publication 2005/0262542 to DeWeese *et al.* (Nov. 24, 2005) at paragraphs [0014], [0055], [0056], and [0059]. **Importantly, though, *DeWeese* explains that both programming and chat messages are sent along the same communications path.** “Multiple television and audio channels ... may be provided to set top boxes 26 via communications paths 24.” *Id.* at [0056]. *See also id.* at FIG. 1A. “As shown in FIG. 2A, real-time communications and chat requests can be distributed along communications

paths 24 from one user television equipment device 20 ... to another user television equipment device 20.” *Id.* at [0071]. *DeWeese*, then, does not “*receiv[e] broadcasted content from a service provider via a first input*,” “*conduct[t] two-way communications with other devices via a back channel communications path at an input-output port*,” and “*receiv[e] a communication at the input-output port*” (emphasis added).

Claim 32, then, is not anticipated by *DeWeese*. Claim 32 already recites features that are not taught or suggested by *DeWeese*. The Office is respectfully requested to remove the § 102 (e) rejection of claim 32.

**Rejection of Claims 30 & 31 under § 103 (a)**

Claims 30 and 31 were rejected under 35 U.S.C. § 103 (a) as being obvious over *DeWeese* in view of U.S. Patent 5,548,346 to *Mimura et al.* and further in view of U.S. Patent 5,671,267 to *August, et al.*

Remaining claims 30 and 31, though, are not obvious over the combined teaching of *DeWeese*, *Mimura*, and *August*. These claims already recite, or incorporate, features that are not taught or suggested by the combined teaching of *DeWeese*, *Mimura*, and *August*. Independent claim 30, for example, recites “*receiving broadcasted content from a service provider via a first input*,” “*sending the broadcasted content to the television via a first output*,” and “*conducting two-way communications with other devices via a back channel communications path at a second output of the set top box*” (emphasis added).

These features are not obvious over *DeWeese*, *Mimura*, and *August*. As the above paragraphs explained, *DeWeese* sends **both programming and chat messages along the same communications path**. *Mimura* discloses a processor that analyzes a video signal and correspondingly processes an audio signal. *See* U.S. Patent 5,548,346 to *Mimura et al.* at column 14, lines 21-54. *August* teaches a video receiver that mutes an audio signal when an incoming call is received. *See* U.S. Patent 5,671,267 to *August, et al.* at column 2, lines 58-64. Still,

though, the combined teaching of *DeWeese*, *Mimura*, and *August* fails to teach or suggest “*receiving broadcasted content from a service provider via a first input*” “and “*conducting two-way communications with other devices via a back channel communications path at a second output of the set top box*” (emphasis added). Dependent claim 31 incorporates these same features. One of ordinary skill in the art, then, would not think that claims 30 and 31 are obvious over *DeWeese*, *Mimura*, and *August*. Claims 30-31, then, cannot be obvious, so the Office is respectfully requested to remove the § 103 (a) rejection of these claims.

**New Claims 33-37**

This response presents new dependent claims 33-37. These new claims depend from independent claim 32. New claims 33-37 thus incorporate the same distinguishing features discussed above.

No excess claim fee is believed due. Because new dependent claims 33-37 replace canceled dependent claims 20-24, no excess claim fee is believed due.

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If any questions arise, the Office is requested to contact the undersigned at (919) 469-2629 or [scott@scottzimmerman.com](mailto:scott@scottzimmerman.com).

Respectfully submitted,



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